

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:)
PAMELA K. LENHART,) Case No. 24-21990-JAD
)
) Chapter 13
Debtor(s).)
_____ X Related to Docs. #5, 26 and 27

ORDER OF COURT
(Check Boxes That Apply)

☒ Confirming Plan on Final Basis

☒ Chapter 13 Plan dated:
8/14/24

☐ Authorizing Distributions Under Plan
On Interim Basis Solely as Adequate
Protection

☐ Amended Chapter 13 dated: _____

IT IS HEREBY ORDERED that the Chapter 13 Plan Payment is \$700 effective 9/24.

IT IS HEREBY ORDERED that pursuant to the plan identified above (the “Plan”), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee’s next available distribution date after the first day of the month following the date on which this Order is entered on the Court’s docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. **Unique Provisions Applicable Only to This Case:** *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$775 beginning 12/24. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments or shall sign up for and commence payments under the Trustee’s TFS online payment program.

- ☒ B. The length of the Plan is changed to a total of at least 60 months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.
- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. *Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.* The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor _____ shall be paid monthly payments of \$_____ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
- City and School District of Pittsburgh CL. #6
 - Nissan Motor Acceptance CL. #8
- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined

by Trustee to pay the claim in full during the Plan term:

- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
-

- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
-

- ☒ K. Additional Terms and Conditions:

- *Debtor(s) are to fund the plan by TFS [notwithstanding anything to the contrary in the plan] which is to be implemented within 14 days of the date of this Order (if not previously implemented). Debtor(s) are responsible for ensuring that the full monthly plan payment is made each month regardless of the manner in which payments are intended to be made.*
- *To the extent the Plan is confirmed pre-bar date(s) or the completion of pending or contemplated litigation (including §506/522f action and objections to claims) or Loss Mitigation (LMP), creditors will be paid per plan in the plan amount (or as superseded by this Confirmation Order or other Order(s) of Court) notwithstanding a claim in a greater amount or priority. Debtor shall review all proofs of claims as filed and to take such action(s), including modification of the Plan or this Confirmation Order, as is necessary to address claim discrepancies and to address other subsequent events that will affect the adequacy of plan funding (including the outcome of contemplated or pending litigation and LMP). The need to address plan funding deficiency includes increasing the plan payment as necessary to fund 100% of timely filed and allowed non-specially classified unsecured creditors in 100% plan cases.*

2. Deadlines. The following deadlines are hereby established and apply to this case:

A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

B. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within

ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

D. Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

3. Additional Provisions. The following additional provisions apply in this case:

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.L.B.R. 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.


E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed ***secured claim*** (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: 12/13/2024


United States Bankruptcy Judge ~~sjk~~
Jeffery A. Deller

cc: All Parties in Interest to be served by Clerk

FILED
12/13/24 7:49 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
Pamela K. Lenhart
Debtor

Case No. 24-21990-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Dec 13, 2024

User: auto
Form ID: pdf900

Page 1 of 3
Total Noticed: 34

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 15, 2024:

Recip ID	Recipient Name and Address
db	+ Pamela K. Lenhart, 58 Oakwood Road, Pittsburgh, PA 15205-4265
16424336	+ Michael F. Ratchford, Esq., Ratchford Law Group PC, 54 Glenmaura National Blvd, Ste 104, Moosic, PA 18507-2161
16452859	+ Mission Lane LLC, by AIS Infosource, LP as agent, PO Box 4457, Houston, TX 77210-4457
16424343	+ Preferred Primary Care Physicians, PO Box 8000, Dept 429, Buffalo, NY 14267-0002
16424344	+ Robert N. Polas, Jr., Esq., 120 Corporate Blvd, Norfolk, VA 23502-4952

TOTAL: 5

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@aisinfo.com	Dec 14 2024 00:45:20	Ally Financial c/o AIS Portfolio Services, LLC, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/Text: ebnjts@grblaw.com	Dec 13 2024 23:40:00	City of Pittsburgh & School District of Pittsburgh, c/o Richard A. Monti, Esquire, 525 William Penn Place, Suite 3110, Pittsburgh, PA 15219, UNITED STATES 15219-1753
cr	Email/PDF: MerrickBKNotifications@Resurgent.com	Dec 14 2024 01:16:15	Merrick Bank, c/o Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
cr	+ Email/Text: ebnpwsa@grblaw.com	Dec 13 2024 23:40:00	Pittsburgh Water and Sewer Authority, c/o Richard A. Monti, Esquire, 525 William Penn Place, Suite 3110, Pittsburgh, PA 15219, UNITED STATES 15219-1753
16424332	Email/Text: kburkley@bernsteinlaw.com	Dec 13 2024 23:40:00	Duquesne Light, Customer Care Department, 411 Seventh Ave, MD 6-1, Pittsburgh, PA 15230
16424330	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Dec 13 2024 23:51:31	Capital One, PO Box 30285, Salt Lake City, UT 84130-0285
16424331	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Dec 13 2024 23:50:12	Capital One Bank USA N.A., 4851 Cox Road, Glen Allen, VA 23060-6293
16431711	+ Email/Text: ebnjts@grblaw.com	Dec 13 2024 23:40:00	City of Pittsburgh/School District of Pittsburgh, GRB Law, c/o Richard A. Monti, Esquire, 525 William Penn Place, Suite 3110, Pittsburgh, PA 15219-1753
16452430	+ Email/Text: jdryer@bernsteinlaw.com	Dec 13 2024 23:40:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 601 Grant Street, 9th Floor, Pittsburgh, PA 15219-4430
16440879	Email/Text: JCAP_BNC_Notices@jcap.com	Dec 13 2024 23:40:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud MN 56302-9617
16424333	+ Email/Text: PBNCNotifications@peritusservices.com	Dec 13 2024 23:40:00	Kohl's, PO Box 3043, Milwaukee, WI 53201-3043
16424334	+ Email/PDF: resurgentbknotifications@resurgent.com		

District/off: 0315-2

User: auto

Page 2 of 3

Date Rcvd: Dec 13, 2024

Form ID: pdf900

Total Noticed: 34

		Dec 14 2024 00:03:04	LVNV Funding, Resurgent Capital Services, PO Box 10497, Greenville, SC 29603-0497
16425551	Email/PDF: resurgentbknotifications@resurgent.com		
		Dec 13 2024 23:50:42	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
16433837	^ MEBN		
		Dec 13 2024 23:38:04	Lakeview Loan Servicing, LLC, C/O M&T BANK, PO BOX 840, Buffalo, NY 14240-0840
16424335	Email/Text: camanagement@mtb.com		
		Dec 13 2024 23:40:00	M & T Bank, PO Box 1288, Buffalo, NY 14240
16427170	Email/PDF: MerrickBKNotifications@Resurgent.com		
		Dec 14 2024 00:03:09	MERRICK BANK, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
16424337	Email/Text: ml-ebn@missionlane.com		
		Dec 13 2024 23:40:00	Mission Lane Tab Bank, PO Box 105286, Atlanta, GA 30348
16424338	+ Email/Text: NissanBKNotices@nationalbankruptcy.com		
		Dec 13 2024 23:40:00	Nissan Motor Acceptance, PO Box 660366, Dallas, TX 75266-0366
16440267	+ Email/Text: NissanBKNotices@nationalbankruptcy.com		
		Dec 13 2024 23:40:00	Nissan Motor Acceptance Company LLC, fka Nissan Motor Acceptance Corporation, PO Box 9013, Addison, Texas 75001-9013
16424339	+ Email/Text: BKEBN-Notifications@ocwen.com		
		Dec 13 2024 23:40:00	Ocwen Loan Servicing LLC, Attn: Bankruptcy Dept, 1661 Worthington Road, Ste 100, West Palm Beach, FL 33409-6493
16424340	+ Email/Text: BKEBN-Notifications@ocwen.com		
		Dec 13 2024 23:40:00	PHH Mortgage Services, 1 Mortgage Way, Mount Laurel, NJ 08054-4624
16424341	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com		
		Dec 14 2024 00:15:34	Portfolio Recovery Associates, PO Box 12914, Norfolk, VA 23541
16424342	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com		
		Dec 14 2024 01:16:21	Portfolio Recovery Associates LLC, 120 Corporate Blvd, Norfolk, VA 23502
16429095	+ Email/Text: ebnpwsa@grblaw.com		
		Dec 13 2024 23:40:00	Pittsburgh Water and Sewer Authority, GRB Law, c/o Richard A. Monti, Esquire, 525 William Penn Place, Suite 3110, Pittsburgh, PA 15219-1753
16424345	+ Email/PDF: ais.sync.ebn@aisinfo.com		
		Dec 14 2024 01:16:15	SYNCB/Ashley Furniture, Attn: Bankruptcy, PO Box 965060, Orlando, FL 32896-5060
16424346	+ Email/PDF: ais.sync.ebn@aisinfo.com		
		Dec 14 2024 00:04:15	SYNCB/Home, Attn: Bankruptcy, PO Box 965060, Orlando, FL 32896-5060
16452136	Email/PDF: ebn_ais@aisinfo.com		
		Dec 13 2024 23:50:41	Synchrony Bank, by AIS InfoSource LP as agent, PO Box 4457, Houston, TX 77210-4457
16451957	+ Email/Text: BNCnotices@dcmservices.com		
		Dec 13 2024 23:40:00	UPMC HEALTH SERVICES, PO BOX 1123, MINNEAPOLIS, MN 55440-1123
16451959	+ Email/Text: BNCnotices@dcmservices.com		
		Dec 13 2024 23:40:00	UPMC PHYSICIAN SERVICES, PO BOX 1123, MINNEAPOLIS, MN 55440-1123

TOTAL: 29

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		LAKEVIEW LOAN SERVICING, LLC
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 601 Grant Street, 9th Floor, Pittsburgh, PA 15219-4430
16428425	*P++	PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067, address filed with court:, Portfolio Recovery Associates, LLC, POB 12914, Norfolk, VA 23541

TOTAL: 1 Undeliverable, 2 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

District/off: 0315-2

User: auto

Page 3 of 3

Date Rcvd: Dec 13, 2024

Form ID: pdf900

Total Noticed: 34

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 15, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 13, 2024 at the address(es) listed below:

Name	Email Address
Brent J. Lemon	on behalf of Creditor LAKEVIEW LOAN SERVICING LLC blemon@kmlawgroup.com, lemondropper75@hotmail.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com btemple@bernsteinlaw.com;aepiscopo@bernsteinlaw.com;kebeck@ecf.courtdrive.com;agilbert@bernsteinlaw.com
Michael C. Eisen	on behalf of Debtor Pamela K. Lenhart attorneyeisen@yahoo.com aarin96@hotmail.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Richard Monti	on behalf of Creditor Pittsburgh Water and Sewer Authority rmonti@grblaw.com
Richard Monti	on behalf of Creditor City of Pittsburgh & School District of Pittsburgh rmonti@grblaw.com
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com

TOTAL: 7